

Filed by:

Merits Panel
Mail Stop Interference
P.O. Box 1450
Alexandria VA 22313-1450
Tel: 571-272-9797
Fax : 572-273-0042

Filed: January 30, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Travis **Johnson**, John McGowen,
Allyson Beuhler, Charles Kimball Brush,
and
Robert Emil Lajos
Junior Party
(Patent 6,372,813 B1),

v.

Wolfgang **Pieken**, Andreas Wolter,
David P. Sebesta, Michael Leuck,
Hallie A. Latham-Timmons, John Pilon,
and
Gregory M. Husar
Senior Party
(Application 09/845,742).

Patent Interference No. 105,442 (JTM)

Judgment - Request for Adverse - Bd. R. 127(b)

Before Schafer, Tierney, and Moore, *Administrative Patent Judges*

Johnson has filed Paper 40, a Request for Adverse Judgment as to claims 8-12 of Patent 6,372,813. These are all of Johnson's claims corresponding to count 1, the only count of this interference. (Paper 1, page 5).

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Upon consideration of the Request for Adverse Judgment, it is hereby:

ORDERED that judgment on priority as to Count 1 (Paper 1, page 5) is awarded against junior party Travis Johnson, John McGowen, Allyson Beuhler, Charles Kimball Brush, and Robert Emil Lajos.

FURTHER ORDERED that junior party Travis Johnson, John McGowen, Allyson Beuhler, Charles Kimball Brush, and Robert Emil Lajos is not entitled to a patent containing claims 8, 9, 10, 11, and 12 (corresponding to Count 1) of Patent 6,372,813 B1.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 09/845,742 and patent 6,372,813.

FURTHER ORDERED that as the parties have stated that there is a settlement agreement, the parties shall direct attention to 35 U.S.C. § 135(c) and 37 CFR § 41.205(a).

<u>/Richard E. Schafer/</u>)	
ADMINISTRATIVE PATENT JUDGE)	
)	
)	
<u>/Michael P. Tierney/</u>)	BOARD OF PATENT
ADMINISTRATIVE PATENT JUDGE)	APPEALS AND
)	INTERFERENCES
)	
<u>/James T. Moore/</u>)	
ADMINISTRATIVE PATENT JUDGE)	

January 30, 2007
Alexandria, VA

VIA EMAIL:

Attorney for Johnson:

Herbert D. Hart III
Christopher J. Buchko
Registration No. 30,063
McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, IL 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100
E-mail: hhart@mhmlaw.com
cbuchko@mhmlaw.com

Attorney for Pieken:

Donald Schelling
Polsinelli Shalton Welte Suelthaus PC
700 W. 47th St., Suite 1000
Kansas City, MO. 64112
Phone: (816)753-1000
FAX: (816)753-1536
E-Mail: dschelling@pswslaw.com
kdoty@pswslaw.com